EXHIBIT F

CHIEF TONEY CHAPLIN Confidential SCHIFF vs CITY OF SAN FRANCISCO

November 29, 2021

| 1 1 | Page 1 | 1 | | Page 3 |
|--|--|--|--|--|
| 1 2 | UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA | 2 | WITNESS: CHIEF | INDEX OF EXAMINATION |
| 3 | WORTHERN DISTRICT OF CALIFORNIA | 3 | EXAMINATION | PAGE |
| 4 | FREDERICK (RIC) SCHIFF; GLENN | 4 | By Mr. Mullanax | |
| • | BRAKEL; ALICE DICROCE; JOSEPH | 5 | by MI. Mulianax | |
| 5 | EMANUEL; BRIAN GREER; CLAYTON | 6 | | |
| 3 | HARMSTON; STEVEN HASKELL; MICAH | 7 | (All orbibit | a wawked at ganglugion of deposition) |
| 6 | HOPE; DANIEL KELLY; ALEXANDER | | (AII exilibit | s marked at conclusion of deposition.) |
| Ŭ | LENTZ; BRANDON McKELLEY; GERALD | 8 | D. 3 T. | INDEX TO EXHIBITS |
| 7 | NEWBECK; DAVID O'KEEFFE; | 9 | PLAINTIFFS' | DESCRIPTION REFERENCE PAGE |
| | CHRISTOPHER RITTER; STEVEN UANG; | 10 | | Document entitled, "Q-50 Secondary |
| 8 | and THOMAS WALSH, | | | Criteria Recommendations, undated 10 |
| 9 | Plaintiffs, | 11 | | |
| 10 | vs. No. 4:19-CV-03260-YGR | | | Document entitled, "Q-60 Secondary |
| 11 | CITY AND COUNTY OF SAN FRANCISCO; | 12 | | Criteria Recommendations, undated 15 |
| | GREG SUHR, individually; WILLIAM | 13 | | Document entitled, "Q-80 Captains |
| 12 | (BILL) SCOTT, individually; and | | | Secondary Criteria Recommendations," |
| | DOES 1-20, | 14 | | undated 18 |
| 13 | | 15 | | Document entitled, "Q-50 Sergeants |
| • | Defendants. | | | Secondary Criteria Recommendations," |
| 14 | | 16 | | undated 20 |
| 15 | | 17 | Exhibit 5 | Document entitled, "Q-60 Lieutenants |
| 16 | | | | Secondary Criteria Recommendations," |
| 17 | CONFIDENTIAL DEPOSITION OF | 18 | | undated 21 |
| 18 | Chief Toney Chaplin | 19 | Exhibit 6 | Document entitled, "Q-80 Captains |
| 19 | • • | | | Secondary Criteria Recommendations," |
| 20 | November 29, 2021 | 20 | | undated 22 |
| 21 | 2:01 p.m. | 21 | | |
| 22 | - | 22 | DEFENDANTS' | DESCRIPTION REFERENCE PAGE |
| 23 | Remote Videoconference Deposition Via Zoom | 23 | | NO EXHIBITS MARKED |
| 24 | - | 24 | | |
| 25 | Donna Archuleta, CSR No. 11828 | 25 | | |
| | | | | |
| 1 | Page 2 APPEARANCES OF COUNSEL | 1 | MP COM | Page ² NAN: At the start of deposition today, |
| 2 | AFFEAKANCED OF COUNDED | | | · · |
| 3 | On behalf of the Plaintiffs: | 2 | I'm going to con | firm two agreements that the parties |
| 4 | M. GREG MULLANAX, ESQ. | 3 | have. | |
| • | LAW OFFICE OF M. GREG MULLANAX | 4 | The first is | this deposition transcript and the |
| 5 | 2140 North Winery Avenue, Suite 101 | 5 | | entirety will be marked as confidential |
| 5 | Fresno, California 93703 | | • | • |
| 6 | 559.420.1222 | 6 | pursuant to the | parties' stipulated and executed |
| O | | 7 | protective order | |
| 7 | greg@lawmgm.com | 8 | Secondly. | Chief Chaplin is being deposed today |
| | On help 15 of the Defendants. | _ | • | |
| 8 | On behalf of the Defendants: | 9 | III III III CONNE | ection with his former employment with |
| 9 | | | | - · · |
| | PETER A. COWNAN, ESQ. | 10 | the San Francis | sco Police Department and only in that |
| | OFFICE OF THE CITY ATTORNEY OF SAN FRANCISCO | 10 11 | | sco Police Department and only in that Chief is now at a different police |
| 10 | OFFICE OF THE CITY ATTORNEY OF SAN FRANCISCO 1390 Market Street, Fifth Floor | 11 | capacity. The | Chief is now at a different police |
| 10 | OFFICE OF THE CITY ATTORNEY OF SAN FRANCISCO 1390 Market Street, Fifth Floor San Francisco, California 94102 | 11 12 | capacity. The department, lea | Chief is now at a different police ading it, but we've agreed with Plaintiffs' |
| | OFFICE OF THE CITY ATTORNEY OF SAN FRANCISCO 1390 Market Street, Fifth Floor San Francisco, California 94102 415.554.3863 | 11 | capacity. The department, lead counsel there we | Chief is now at a different police ading it, but we've agreed with Plaintiffs' will be no questions regarding his current |
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CHIEF TONEY CHAPLIN Confidential SCHIFF vs CITY OF SAN FRANCISCO

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| SC | HIFF VS CITY OF SAN FRANCISCO | | 5-8 |
|-----------|--|----|---|
| 1 | Page 5 here today. We'll be done, I'm sure, in less than an | 1 | Page 7 of assistant police chief to which I retired from. |
| 2 | hour so that you can get back to work after we're | 2 | Q. Do you recall when you retired from the SFPD? |
| 3 | finished. | 3 | A. Yeah; September 3rd of 2019. |
| 4 | Have you reviewed any documents in preparation | 4 | Q. During your time there what was your rank, do |
| 5 | for your testimony here today? | 5 | you recall, in 2017? |
| 6 | A. No. | 6 | A. In 2017? |
| 7 | Q. Have you been deposed before? | 7 | Q. Yes, sir. |
| 8 | A. I have; not for this, but I have historically. | 8 | A. Assistant police chief. For most of that year, |
| 9 | Q. And I'm sure you've testified in court many | 9 | Chief Scott was sworn in. I was still the interim chief |
| 10 | times. So your testimony here today, I just want to | 10 | for a good chunk of January of that year. |
| 11 | remind you, is under oath as if you were testifying in | 11 | Q. Then when Chief Scott was sworn in, you remained |
| 12 | court before a judge and jury. Do you understand that? | 12 | at the police department for another couple years? |
| 13 | A. Totally understood. | 13 | A. I did. |
| 14 | Q. And if I ask you a question and you don't | 14 | Q. That was the rank of assistant police chief; is |
| 15 | understand it, please let me know, and I'll be happy to | 15 | that correct? |
| 16 | re-ask it. Do you agree to do that? | 16 | A. Yes. |
| 17 | A. I do. | 17 | Q. In your position as assistant police chief, were |
| 18 | Q. And also I'm only here to find out what you | 18 | you involved in the promotional process? |
| 19 | know. I don't want you to speculate on anything. So if | 19 | A. I was. |
| 20 | I ask you a question and you just don't know, just let us | 20 | Q. Can you please describe for us what your |
| 21 | know that you don't know. Is that agreeable? | 21 | involvement in the promotional process entailed? |
| 22 | A. Definitely. | 22 | A. Just like the deputy chief, the assistant chief |
| 23 | Q. First of all, could you give us a little | 23 | would sit in and review the secondary criteria. |
| 24 | history just a quick synopsis of your rise through the | 24 | Q. What is secondary criteria? |
| 25 | ranks of the San Francisco Police Department; for | 25 | A. It's the education, discipline records; it's |
| | Tarino of the Carr randoco rolled Dopartment, for | | · |
| 1 | Page 6 example, when you started the police department, and then | 1 | Page 8 basically review of the candidate's file to see if |
| | go up the ranks there. | 2 | they're eligible or not eligible for promotion. |
| 3 | A. Sure. I started in 1990. I was in the police | 3 | Q. Now, Is that when you all would sit in a room |
| 4 | academy Class 167. We began in June of 1990. | 4 | and pass the files back and forth so you had an |
| 5 | I was first promoted to the rank of inspector; I | 5 | opportunity to review the secondary criteria? |
| 6 | do not recall the exact date of that. I was subsequently | 6 | A. They didn't go back and forth. They went around |
| 7 | promoted to the rank of sergeant and held the dual rank | 7 | the room. So you didn't take the file, give it to |
| 8 | status of a sergeant inspector. I held that rank for | 8 | somebody, and take it back. There was no discussion of |
| 9 | years. | 9 | the files. They just made their way around. And each |
| 10 | I then took the lieutenant's exam and was | 10 | person was responsible for individually inspecting and |
| 11 | promoted to lieutenant, and transferred out of that | 11 | making a recommendation based on their look of that file. |
| 12 | assignment to a patrol assignment. | 12 | Q. What is typically contained in the secondary |
| 13 | I then was promoted by Chief Greg Suhr well, | 13 | criteria file? |
| 14 | I'm sorry, I took over the homicide bureau. | 14 | A. It's the disciplinary records it's their |
| 15 | And then after about a year in homicide, I | 15 | disciplinary records, their education records, any awards |
| 16 | promoted to the rank of commander. During that time, I | 16 | that particular candidate received. |
| 17 | took the exam for the rank of captain, and I was | 17 | Q. Does that include things like if they're |
| 18 | appointed the civil service rank of captain, and I still | 18 | certified to speak another language or something like |
| 19 | held the rank of commander at that particular time. | 19 | that? |
| 20 | After that, I was promoted to deputy chief and | 20 | A. I don't recall if that was in there. |
| 21 | asked to start a new bureau. | 21 | Q. Now, when you were in this I'm just I've |
| 22 | And after that, I was the interim chief because | 22 | been calling it the promotional committee. Would that be |
| 23 | Greg Suhr at that point had resigned, slash, retired. | 23 | okay for purposes of this deposition? |
| 24 | And after a search for a permanent chief and one | 24 | A. Yes. |
| | | I | |



25 was picked, I was then appointed the civil service rank

Q. And I'm going to ask more about the process, but

25

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| Page 25 | | Page 27 |
|---|--|---|
| 1 to who was going generally who was going. | 1 | made at that point. |
| 2 MR. MULLANAX: Let's go off the record. | 2 | MR. MULLANAX; I believe that's all I have. Do |
| 3 (Recess.) | 3 | you have anything, Peter? |
| 4 (Frederick Schiff joined the proceedings.) | 4 | MR. COWNAN: No, I don't. |
| 5 MR. MULLANAX: Back on the record. | 5 | Let's go off the record. |
| 6 Q. Chief, do you recall back around 2017 and the | 6 | MR. MULLANAX: Thank you for coming in today. I |
| 7 2018 time period those rounds of promotions that were | 7 | appreciate it. It's no fun to deal with this kind of |
| 8 going on then; were you aware of any complaints that some | 8 | stuff, but I appreciate it. |
| 9 of the officers were making about the promotional | 9 | COURT REPORTER: Mr. Mullanax, how would you |
| 10 process? | 10 | like your copy of the transcript? |
| 11 A. I was not, other than your usual things. | 11 | MR. MULLANAX: Electronic. |
| 12 Q. The usual complaints that you hear? | 12 | COURT REPORTER: Mr. Cownan, would you like a |
| 13 A. Yeah; like, it takes too long, you know, | 13 | copy of the transcript? |
| 14 why-not-me type of things. | 14 | MR. COWNAN: Yes; we'd like electronic as well, |
| 15 Q. Did you ever go to, like, any of the stations | 15 | please. |
| 16 like the Northern Station and explain about the | 16 | (Proceedings concluded at 2:44 p.m.) |
| 17 promotional process? Let me tell you what I heard was | 17 | |
| 18 that at one point you had gone to, I think, the Northern | 18 | |
| 19 Station, and I think there had been some complaints up | 19 | |
| 20 there. And you came and spoke on behalf of the Chief, I | 20 | |
| 21 suppose, about the promotional process. Do you recall | 21 | |
| 22 anything about that? | 22 | |
| 23 A. It wasn't about the promotional process. It was | 23 | |
| 24 about departmental issues. And I don't remember the | 24 | |
| 25 exact content, but I remember specifically having a | 25 | |
| D 00 | | D 00 |
| Page 26 | | Page 28 |
| | 1 | CERTIFICATE OF REPORTER |
| 1 discussion with a female sergeant who said that she was | 1 2 | |
| discussion with a female sergeant who said that she was trying to get an audience with the Chief to discuss some | | |
| discussion with a female sergeant who said that she was trying to get an audience with the Chief to discuss some issues that she had particularly had, and he was not | 2 | CERTIFICATE OF REPORTER |
| discussion with a female sergeant who said that she was trying to get an audience with the Chief to discuss some issues that she had particularly had, and he was not receptive to meeting with her. | 2 | CERTIFICATE OF REPORTER I, DONNA ARCHULETA, a Certified Shorthand |
| discussion with a female sergeant who said that she was trying to get an audience with the Chief to discuss some sissues that she had particularly had, and he was not receptive to meeting with her. Now, at the time, Chief Scott came from the Los | 2 3 4 | CERTIFICATE OF REPORTER I, DONNA ARCHULETA, a Certified Shorthand Reporter of the State of California, hereby certify that |
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